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Commissioner of Patents and Trademarks  
Washington, D.C. 20331

Attorney for Applicants

Date: 4 June 2001

**PATENT**

**Attorney Docket No.: DB000575-010**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Keeth, et. al. )  
 )  
**Serial No.:** 09/801,628 ) **Examiner:** Not Yet Assigned  
 )  
**Filed:** March 8, 2001 ) **Art Unit:** 2818  
 )  
**Entitled:** 256 MEG DYNAMIC RANDOM ACCESS MEMORY

**PETITION IN RESPONSE TO NOTICE TO FILE**  
**CORRECTED APPLICATION PAPERS**

Assistant Commissioner for Patents  
ATTN: Box MISSING PARTS  
Washington, DC 20231

Dear Sir:

In response to the Notice to File Corrected Application Papers (copy enclosed), Applicants hereby petition the Commissioner to accept the following as proof that Figures 40A and 81A were submitted with the above-named application and to refund the accompanying petition fee of \$130 submitted in accordance with 37 C.F.R. 1.117(h).

**I. Introduction**

Three hundred sixty-seven (367) drawings were submitted with the above-named application. Figures 40A and 81A were included in these 367 drawings. Therefore, these two figures were not omitted from the application and Applicants' \$130 petition fee should be refunded.

**II. Argument**

Applicants submitted a total of 367 drawings with the above-named application. Figures 40A and 81A were included among these 367 drawings. Applicants submit a copy of the return postcard, marked as Exhibit A, evidencing the submission of 367 drawings with the above named application. Applicants also submit a copy of the Utility Patent Application Transmittal form, marked as Exhibit B, evidencing the submission of 367 drawings with the above-named

date: 02/19/2003 AKELLEY  
02/19/2003 S:INASS1 00000004 09801628  
-130.00 OP

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02/19/2001 S:INASS1 00000004 09801628  
01 PU:122 130.00 OP  
Ref: 02/19/2003 AKELLEY 0013251000  
Name/Number: 09801628 \$130.00 CR

application. In addition, Applicants submit copies of Figures 40A and 81A as they were submitted with the above-named application.

Applicants contend that this evidence is sufficient to prove that 367 drawings were submitted with the application and that Figures 40A and 81A were two of the 367 submitted drawings.

### **III. Conclusion**

Applicants respectfully contend that they have demonstrated by this evidence that Figures 40A and 81A were submitted with the above-named divisional application. Accordingly, Applicants petition the Commissioner to withdraw the Notice to File Corrected Application Papers with respect to the allegedly omitted Figures and adjust the Filing Receipt to reflect the submission of 367 drawings not 365 drawings. Applicants additionally request that Commissioner refund the \$130.00 check that was submitted with this petition to cover the petition fee under 37 C.F.R. 1.117(h).

Respectfully Submitted,



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Dated: 4 June, 2001

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